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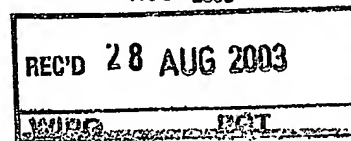
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RULE 17.1(a) OR (b)



- 1) South African Provisional Patent Application No. **2002/5743** accompanied by a Provisional specification was filed at the South Africa Patent Office on **18 July 2002**, in the name of **Agricultural Research Council and Kynoch Feeds (Pty) Limited** in respect of an invention entitled: "**Proliferation and delivery apparatus**".
- 2) On **3 July 2003**, an assignment of South African Patent Application No. **2002/5743** from **Agricultural Research Council and Kynoch Feeds (Pty) Limited** to **Agricultural Research Council and Kemira Phosphates (Pty) Limited** was recorded at the South African Patent Office.
- 3) The photocopy attached hereto is true copy of the provisional specification and drawings filed with South African Patent Application No. **2002/5743**.

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Signed at

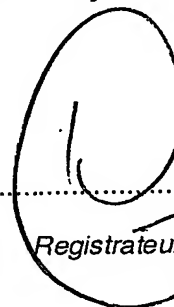
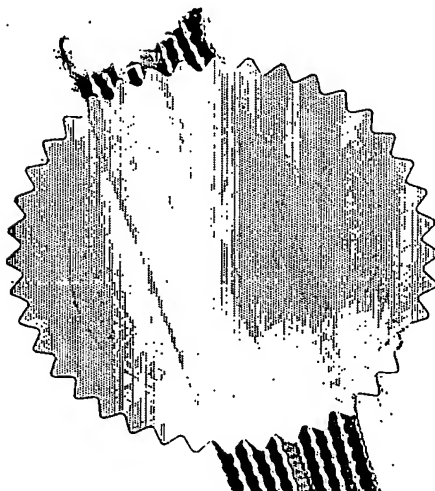
PRETORIA

in die Republiek van Suid-Afrika, hiedie  
in the Republic of South Africa, this

29th

dag van  
day of

July 2003



Registrateur van Patente

DIDISIT

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REPUBLIC OF SOUTH AFRICA

## REGISTER OF PATENTS

PATENTS ACT, 1978

OFFICIAL APPLICATION NO.

LODGING DATE : PROVISIONAL

ACCEPTANCE DATE

21 01 2002/5743

22 18 July 2002

43

INTERNATIONAL CLASSIFICATION

LODGING DATE : COMPLETE

GRANTED DATE

51

23

FULL NAME(S) OF APPLICANT(S) / PATENTEE(S)

71 AGRICULTURAL RESEARCH COUNCIL

KYNOCHEEDS (PTY) LTD

Share: KEMIRA PHOSPHATES (PTY) LTD

AANSOEKERS VERVANG  
APPLICANTS SUBSTITUTED  
03.07.2003

APPLICANTS SUBSTITUTED :

71 Share: KEMIRA PHOSPHATES (PTY) LTD

DATE REGISTERED

03.07.2003

ASSIGNEE(S)

71

DATE REGISTERED

FULL NAME(S) OF INVENTOR(S)

72 HORN, Charles Henry

PRIORITY CLAIMED

COUNTRY

NUMBER

DATE

N.B. Use international  
abbreviation for country.  
(See Schedule 4)

33

31

32

TITLE OF INVENTION

54 PROLIFERATION AND DELIVERY APPARATUS

ADDRESS OF APPLICANT(S) / PATENTEE(S)

Olifantsfontein Road Irene Pretoria South Africa

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ADDRESS FOR SERVICE

REF

74 D M Kisch Inc, 66 Wierda Road East, Wierda Valley, SANDTON

P24534ZA00

PATENT OF ADDITION NO.

DATE OF ANY CHANGE

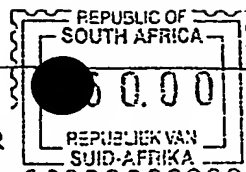
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FRESH APPLICATION BASED ON

DATE OF ANY CHANGE

REPUBLIC OF SOUTH AFRICA  
PATENTS ACT, 1978

APPLICATION FOR A PATENT AND ACKNOWLEDGEMENT OF RECEIPT  
(Section 30 (1) - Regulation 22)  
The grant of a patent is hereby requested by the undermentioned applicant  
on the basis of the present application filed in duplicate.



Form P.1

OFFICIAL APPLICATION NO.		DMK REFERENCE	
21	01	P24534ZA00	
2002/5743			

FULL NAME(S) OF APPLICANT(S)	
71	AGRICULTURAL RESEARCH COUNCIL KYNOCHE FEEDS (PTY) LTD Share: KENIRA PHOSPHATES (PTY) LTD

ADDRESS(ES) OF APPLICANT(S)	
Olifantsfontein Road Irene Pretoria South Africa 3 Lenchen Park 2029 Lenchen Avenue South Centurion, Pretoria South Africa	

TITLE OF INVENTION	
54	PROLIFERATION AND DELIVERY APPARATUS
THE APPLICANT CLAIMS PRIORITY AS SET OUT ON THE ACCOMPANING FORM P2 The earliest priority claimed is	
THIS APPLICATION IS FOR A PATENT OF ADDITION TO PATENT APPLICATION NO.	
21	01
THIS APPLICATION IS FRESH APPLICATION IN TERMS OF SECTION 37 AND BASED ON APPLICATION NO.	
21	01

THIS APPLICATION IS ACCOMPANIED BY :	
X	1a A single copy of a provisional specification of 14 pages.
	1b Two copies of a complete specification of pages.
	2a Informal drawings of sheets.
X	2b Formal drawings of 1 sheets.
	3 Publication particulars and abstract (form P8 in duplicate).
	4 A copy of figure of the drawings for the abstract.
	5 Assignment of invention (from the inventors) or other evidence of title.
	6 Certified priority document(s).
	7 Translation of priority document(s).
	8 Assignment of priority rights.
	9 A copy of form P2 and a specification of S.A. Patent Application.
X	10 A declaration and power of attorney on form P3.
	11 Request for ante-dating on form P4.
	12 Request for classification on form P9.
	13a Request for delay of acceptance on form P4.
	13b

DATED 18 July 2002

ADDRESS FOR SERVICE	
74	D M Kisch Inc 66 Wierda Road East Wierda Valley SANDTON

Patent Attorney for Applicant(s) REGISTRAR OF PATENTS DESIGNS, TRADE MARKS AND COPYRIGHT RECEIVED OFFICIAL DATE STAMP 2002-07-18 REGISTRAR OF PATENTS, HANDELSMERKE EN OUTEURSREG
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The duplicate will be returned to the applicant's address for service as proof of lodging but is not valid unless endorsed with official stamp

REPUBLIC OF SOUTH AFRICA  
PATENTS ACT, 1978DECLARATION AND POWER OF ATTORNEY  
Section 30 - Regulation 8, 22(i)(c) and 33)

PATENT APPLICATION NO.	LOGGING DATE	D M KISCH'S REFERENCE
21 01 <b>2002/5743</b>	22 18-07-2002	P24534ZA00

## FULL NAME (S) OF APPLICANT(S)

- 71
1. AGRICULTURAL RESEARCH COUNCIL
  2. KYNOCH FEEDS (PTY) LTD

## FULL NAME (S) OF INVENTOR(S)

- 72 HORN, Charles Henry

EARLIEST PRIORITY CLAIMED	COUNTRY	NUMBER	DATE
NOTE: The country must be indicated by its International abbreviation - see Schedule 4 of the Regulations	33 -	31 -	32 -

## TITLE OF INVENTION

- 54 PROLIFERATION AND DELIVERY APPARATUS

We, 1.) Dr. H. H. Meirner ; and 2.) M. C. DE VILLIERS

hereby declare that --

We have been authorised by the applicants to make this declaration and have knowledge of the facts herein stated in the capacity of 1.) Director of Animal Nutrition and Animal Products Institute and 2.) Managing Director of Kynoch Feeds Pty Ltd. respectively of the applicants;

the inventor(s) of the abovementioned invention is/are the person(s) named above and the applicants has/have acquired the right to apply by virtue of an *assignment from the inventor(s)*;

to the best of our knowledge and belief, if a patent is granted on the application, there will be no lawful ground for the revocation of the patent;

the directors and qualified staff of the firm of D M. KISCH INC, patent attorneys, are authorised, jointly and severally with powers of substitution and revocation, to represent the applicants in this application and to be the address for service of the applicants while the application is pending and after a patent has been granted on the application.

SIGNED AT Irene THIS 24th DAY OF June 2002.

1.) Dr. H. H. Meirner

2.) M. C. DE VILLIERS

## REPUBLIC OF SOUTH AFRICA

## PATENTS ACT, 1978

PROVISIONAL SPECIFICATION  
( Section 30 (1) - Regulation 27 )

OFFICIAL APPLICATION NO. - - 4		LODGING DATE	DMK REFERENCE
21	01 2002/5743	22 18 July 2002	P24534ZA00

FULL NAME(S) OF APPLICANT(S)	
71	AGRICULTURAL RESEARCH COUNCIL KYNOCHE FEEDS (PTY) LTD Share! KEMIRA PHOSPHATES (PTY) LTD 06.07.2003

FULL NAME(S) OF INVENTOR(S)	
72	HORN, Charles Henry

TITLE OF INVENTION	
54	PROLIFERATION AND DELIVERY APPARATUS

## PROLIFERATION AND DELIVERY APPARATUS

### INTRODUCTION AND BACKGROUND TO THE INVENTION

This invention relates to a unitary cell, tissue and/or microorganism proliferation  
5 and delivery apparatus and a method for proliferating and delivering cells,  
tissue cultures and/or microorganisms.

South Africa patent 99/5408 discloses a bioreactor comprising a portable,  
disposable, transparent, extensible pouch having an inlet which is sealed by a  
10 seal. The construction of the bioreactor is preferably similar to or the same as  
that of an infusion bag. This invention may work under experimental conditions  
but is not viable for commercial proliferation and delivery of microorganisms at  
the point of use by novice end-users that do not have the necessary expertise  
and no access to laboratory facilities and equipment, because of the need:

- 15
- to introduce a suitable sterile medium;
  - to inoculate the medium with a suitable microorganism; and
  - for a separate delivery apparatus.

It would be extremely difficult for a novice commercial end-user to introduce the  
20 suitable sterile medium and do the inoculation without contaminating the bio-  
reactor with unwanted microorganisms or materials.

A further disadvantage of the known bioreactor is that it cannot exclude the risk

of introducing the wrong medium or microorganism or the risk of contamination, since it is not a closed proliferation system. Furthermore, this invention does not mention that the bio-reactor *per se* can be used as a delivery apparatus. Also, the inoculation of the pouch with a microorganism strictly anaerobically is  
5 very difficult.

USA patent 6,245,555 discloses a bioreactor for aseptic biological production or processing of cells, tissues and/or microorganisms. The bioreactor includes a support housing having an interior chamber; a disposable liner lining the interior  
10 chamber; and a head plate attached to the liner forming a sealed chamber with the liner. After use the liner can be disposed and the bioreactor can be reused with a new liner.

USA patent 6,391,638 discloses a disposable device and method for  
15 anaerobically culturing and harvesting cells and/or tissue in consecutive cycles. The device consists of a sterilisable disposable container which may be partially filled with a suitable sterile biological cell and/or tissue culture medium. The container has means for removing excess air and/or waste gases therefrom, and means for introducing inoculum and/or culture medium  
20 and/or additives therein. A reusable harvesting means enables harvesting of at least a portion of the medium containing cells and/or tissue when desired, thereby enabling the device to be used continuously for at least one subsequent consecutive culturing/harvesting cycle. The portion of medium

containing cells and/or tissue remaining from a previously harvested cycle may serve as inoculum for a next culture and harvest cycle.

Other types of bioreactors are disclosed in USA patents 5,763,267;  
5 5,994,129; 6,228,635; 4,839,292; 5,416,022 and in EP 1022329.

A disadvantage of the above type of bioreactors is that although they may work under experimental conditions and in commercial laboratories, they are not commercially viable proliferation and delivery systems for use by novice end  
10 users because of the need :

- to introduce a suitable sterile medium;
- to inoculate the medium with a suitable microorganism; and
- for a separate delivery apparatus.

15 In addition, these types of bioreactors:

- are relatively complex and difficult to use and require microbiological expertise to operate;
- present the risk of contamination with unwanted microorganisms or other materials;
- 20 - present the risk of compromising the anaerobiosis of the bioreactors during the inoculation step;



- present the risk of inoculation with an incorrect microorganism owing to an error or lack of knowledge, which could lead to substantial losses;
- present the disadvantage that the inoculated culture has a limited shelf-life and has to be used within a limited time span; and
- they are not portable and deliverable.

### OBJECT OF THE INVENTION

It is therefore an object of the present invention to provide a unitary cell, tissue and/or microorganism proliferation and delivery apparatus and a method for proliferating and delivering cells, tissue cultures and/or microorganisms with which the aforesaid disadvantages can be overcome or at least minimised.

### SUMMARY OF THE INVENTION

According to a first aspect of the invention there is provided a unitary cell, tissue and/or microorganism proliferation and delivery apparatus comprising:

- at least one proliferation chamber for containing a growth medium;
- at least one inoculation chamber for containing an inoculum; and
- means for separating the proliferation and inoculation chambers, the separating means being openable to connect the insides of the chambers to each other to inoculate the growth medium with the inoculum, to allow proliferation of the cell, tissue and/or microorganism.

The applicants foresee that the inoculum could be provided in a form which is stable and viable beyond the normal life-span of a conventional culture in a closed container, the arrangement being such that the inoculum and growth  
5 medium are stored and transported separated from each other in the apparatus, until such time as a proliferated culture is to be applied, whereupon the growth medium is inoculated and proliferation allowed to take place, whereafter the proliferated culture is dispensed from the apparatus.

10 The apparatus may be portable.

The apparatus may be disposable.

The growth medium may be cell, tissue and/or microorganism-specific.

15

The growth medium may be sterilized, pasteurised, filter sterilised ultra high temperature sterilized, irradiated, and/or preserved prior to inoculation.

The separating means and inside of the proliferation chamber may also be  
20 sterile prior to inoculation.

Further according to the invention the chambers are anaerobic.

The apparatus may be provided with opening means for opening the separating means, without compromising the anaerobiosis of the inside of the chambers, the arrangement being such that the growth medium may be inoculated and the microorganism proliferated anaerobically and aseptically.

5

The chambers may be connected to each other via a passage.

The separating means may be in the form of a septum.

10 The opening means may be in the form of a spike for piercing the septum.

The inoculation chamber may be defined by a vial type container having a mouth which is connected to one end of the passage.

15 The septum may cover the said mouth.

The vial type container may be flexible, the arrangement being such that the inoculation chamber is compressed after the septum has been pierced to inoculate the growth medium. Alternatively, the apparatus may be provided with  
20 urging means for facilitating the inoculation step. Further alternatively a pressure drop between the two chambers may be utilised to facilitate the inoculation step.

The spike may be mounted in the passage directed at the septum, and the inoculation chamber may be connected to the said one end of the passage via advancement means, the arrangement being further such that, in use, the inoculation chamber is advanced inwardly towards the spike, until the spike  
5 pierces the septum.

The apparatus may be provided with a port for connecting to a dosing or application means.

10 The arrangement may further be such that pressure, which may build up in the proliferation chamber during the anaerobic cultivation of the microorganism, may urge the proliferated culture through the said port.

The proliferation chamber may be defined or provided by a flexible infusion bag  
15 type container. Alternatively the proliferation chamber may be in the form of a "carboy"-type container.

The apparatus may include additional proliferation inoculation chambers connectable to the other chambers.

20

The apparatus may be provided with an incubation means for controlling proliferation conditions of the inoculated growth media.

The inoculum may be a pure culture or a mixed culture.

The inoculum may be in the form of bacteria, viruses, fungi, or other microorganisms, or tissues, cells and the like.

5

According to a second aspect of the invention there is provided a method for the proliferation and delivery of cells, tissue cultures and/or microorganisms including the steps of :

- disposing an inoculum in an inoculation chamber;
- 10 - disposing a growth medium for the inoculum in a proliferation chamber which is separated from the inoculation chamber by an openable separating means;
- storing and transporting the inoculum and unoculated growth medium separated towards a point of use;
- 15 - opening the separating means to inoculate the growth medium;
- allowing the cells, tissue cultures and/or microorganisms to proliferate to form a proliferated culture; and
- dispensing the proliferated culture from the proliferation chamber.

20 The method may include the further step of delivering the proliferated culture to a target locus.

The inoculation and proliferation chambers may be anaerobic and further according to the invention the steps of disposing, storing transporting, inoculating, opening, and proliferation take place anaerobically.

- 5 The method may include the further step of controlling and/or adjusting proliferation conditions of the inoculated growth medium.

#### **BRIEF DESCRIPTION OF THE DRAWING**

- 10 The invention will now be described further by way of a non-limiting example with reference to the accompanying drawing which is a side view of a unitary microorganism proliferation and delivery apparatus according to a preferred embodiment of the invention.

15

#### **DESCRIPTION OF A PREFERRED EMBODIMENT OF THE INVENTION**

Referring to the drawings, a portable, disposable, unitary microorganism proliferation and delivery apparatus according to a preferred embodiment of the invention is generally designated by reference numeral 10.

20

The apparatus 10 comprises a proliferation chamber 12 for containing a growth medium 14; and an inoculation chamber 16 for containing an inoculum 18. The proliferation and inoculation chambers 12 and 16 are connected by a tube 19

defining a passage 20, which is closed by a separating means in the form of a septum 22. The inoculation chamber 16 is provided or defined by a flexible vial having a mouth 16.1 and the septum 22 closes the mouth. Opening means in the form of a spike 24 is mounted in the passage 20 directed at the septum 22.

- 5 The mouth 16.1 of the inoculation chamber 16 is connected to one end of the tube 19 by an advancement means in the form of a screw thread connection 26.

- The proliferation chamber 12 is provided or defined by a flexible infusion type bag and the apparatus 10 is further provided with a second tube 28 defining a port 30 for connecting to a dosing means (not shown) for administering the proliferated culture to a locus of use. The arrangement is further such that pressure which builds up in the proliferation chamber 12 during the cultivation of the microorganism, urges the proliferated culture through the said port 30.
- 10 This obviates the need for external air pressure sources for dispensing the culture and thus decreases the risk of contamination.

- The growth medium 14 is microorganism-specific and the inoculum 18 is in a stable form such as a freeze-dried culture, which is stable and viable beyond the normal life-span of a conventional culture in a closed container.
- 20

It will be appreciated that the proliferation chamber 12, growth medium 14, passage 22, and spike 24 are sterile prior to inoculation.

In use, the inoculation chamber 16 is screwed inwardly towards the spike 24, until the spike 24 pierces and opens the septum 22, to connect the insides of the chambers 12 and 16 to each other via the passage 20. Thereafter the  
5 inoculation chamber 16 is squeezed manually to inoculate the growth medium 14 with the inoculum 18, and proliferation of the microorganism allowed. It will be appreciated that the spike 24 could be in the form of a hollow needle to provide an internal passage along which the inoculation can take place.

10 In the case of anaerobic microorganisms, and particularly strictly anaerobic microorganisms, the apparatus 10 is totally enclosed and hermetically sealed. Furthermore, the arrangement is such that the piercing of the septum 22, the inoculation of the growth medium 14, and the proliferation of the microorganism take place anaerobically.

15

Further in use, the inoculum 18 and growth medium 14 are stored and transported separately from each other in the apparatus 10, until such time as a proliferated culture is to be applied, whereupon the growth medium 14 is inoculated as described above and proliferation allowed to take place,  
20 whereafter the proliferated culture is dispensed from the apparatus 10 via the port 30.



The applicants foresee that the apparatus 10 will present several advantages over the conventional bioreactors. For example, the unitary and uncomplicated design of the apparatus allows for ease of use and it reduces the risk of contamination with unwanted microorganisms or other materials. It further  
5 reduces the risk of compromise of the anaerobic status of the chambers 12 and 16 during the inoculation step. It also ensures that the correct microorganisms at the correct levels are inoculated into the growth medium. In addition, it allows for an extended shelf life i.e. the inoculum and growth medium are stable until the septum is pierced.

10

In particular, because the inoculum and growth medium are stored and transported separated, and only inoculated shortly before delivery to the locus of use, a highly viable proliferated culture is provided. Because the microorganism in the proliferated culture is still in its log-growing phase, with its  
15 enzyme systems at an optimum, the effect thereof at the locus of delivery is substantially improved relative to the prior art systems.

20

It will be appreciated further that variations in detail are possible with a unitary cell, tissue and/or microorganism proliferation and delivery apparatus and a method for proliferating and delivering cells, tissue cultures and/or microorganisms according to the invention without departing from the scope of this disclosure. For example, the septum may be openable in any fashion, such

as by dissolving it chemically, tearing, or bursting. Further for example, the separating means may be in the form of a valve.

DATED THIS 18. DAY OF JULY 2002.

5

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D M KISCH INC

PATENT ATTORNEYS FOR THE APPLICANTS

2002/ 574

AGRICULTURAL RESEARCH COUNCIL  
KYNOC H FEEDS (PTY) LTD

One Sheet

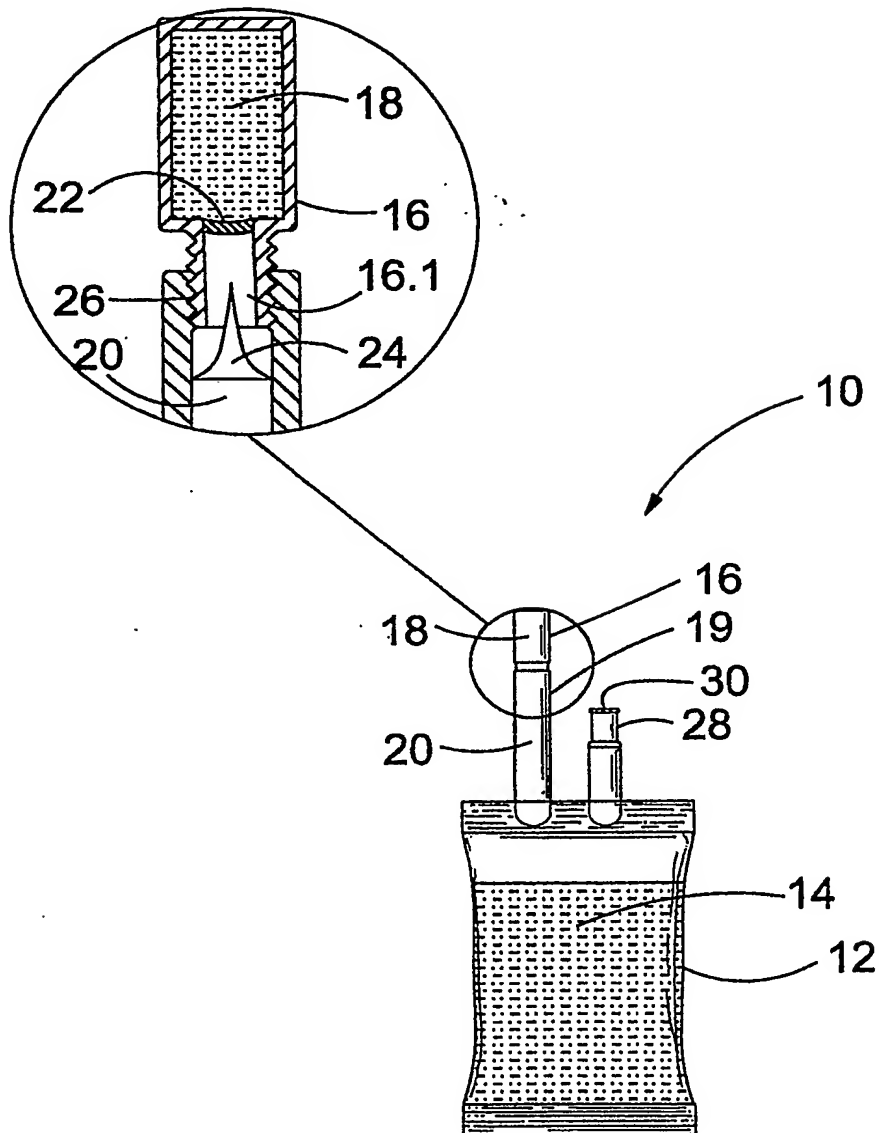


FIGURE 1

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